

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL ACTION NO. 5:19-CV-004-DCK**

MELINDA BEILHARZ,

Plaintiff,

v.

ANDREW SAUL,¹

Commissioner of Social Security,

Defendant.

ORDER

THIS MATTER IS BEFORE THE COURT on “Plaintiff’s Petition For Attorney Fees Under The Equal Access To Justice Act 28 U.S.C. § 2412” (Document No. 20) filed August 16, 2019. The parties have consented to Magistrate Judge jurisdiction pursuant to 28 U.S.C. § 636(c), and immediate review is appropriate. Having carefully considered the motion and the record, and noting consent of Defendant’s counsel, the undersigned will grant the motion.

This action being submitted to the Court for entry of an Order agreed to by the parties; and it appearing that the parties have agreed that the Commissioner of Social Security should pay the sum of \$5,000.00, in full and final settlement of all claims arising under the Equal Access to Justice Act (“EAJA”). See 28 U.S.C. § 2412(d).

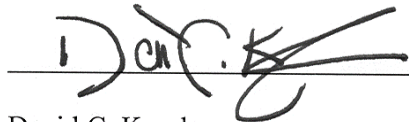
IT IS, THEREFORE, ORDERED that “Plaintiff’s Petition For Attorney Fees Under The Equal Access To Justice Act 28 U.S.C. § 2412” (Document No. 20) is **GRANTED**, and that the Commissioner of Social Security shall pay to Plaintiff the sum of **\$5,000.00**, in full satisfaction of any and all claims arising under EAJA, 28 U.S.C. § 2412, and upon the payment of such sum this

¹ Andrew Saul was sworn in as the Commissioner of Social Security on June 17, 2019, and is automatically substituted as a party pursuant to Fed.R.Civ.P. 25(d).

case is dismissed with prejudice. If the award to Plaintiff is not subject to the Treasury Offset Program, payment will be made by check payable to Plaintiff's counsel, Charlotte Hall, and mailed to her office at P.O. Box 58129, Raleigh, North Carolina 27658, in accordance with Plaintiff's assignment to her attorney of his right to payment of attorney's fees under the Equal Access to Justice Act. If the payment is subject to offset, then any remaining fee will be made payable to Plaintiff and mailed to Plaintiff's counsel office address.

SO ORDERED.

Signed: August 19, 2019



David C. Keesler
United States Magistrate Judge

